

1 CHIEF JUDGE RICARDO S. MARTINEZ
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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,) No. CR20-124-RSM
9 Plaintiff,)
10 v.) ORDER GRANTING
11 JOHN WESLEY STEWART,) UNOPPOSED MOTION TO
12 Defendant.) CONTINUE TRIAL
13) AND PRETRIAL MOTIONS DATES

14 THE COURT has considered Mr. Stewart's unopposed motion to continue the
15 trial date and pretrial motions deadline and finds that:

16 (a) taking into account the exercise of due diligence, a failure to grant a
17 continuance in this case would deny counsel for the defendant the reasonable time
18 necessary for effective preparation due to counsel's need for more time to review the
19 evidence, consider possible defenses, and gather evidence material to the defense, as set
20 forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

21 (b) a failure to grant such a continuance in this proceeding would likely result in
22 a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

23 (c) the additional time requested is a reasonable period of delay, as the defendant
24 has requested more time to prepare for trial, to investigate the matter, to gather evidence
25 material to the defense, and to consider possible defenses; and

1 (d) the ends of justice will best be served by a continuance, and the ends of
2 justice outweigh the best interests of the public and the defendant in any speedier trial,
3 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

4 (e) the additional time requested between the current trial date of December 14,
5 2020, and the new trial date is necessary to provide counsel for the defendant the
6 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
7 the facts set forth above; and

8 (f) the period of delay from the date of this order to the new trial date is
9 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

10 IT IS THEREFORE ORDERED that the trial date in this matter shall be
11 continued to June 28, 2021, and that pretrial motions shall be filed no later than
12 April 29, 2021.

13 DONE this 30th day of October, 2020.

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16 RICARDO S. MARTINEZ
17 CHIEF UNITED STATES DISTRICT
18 JUDGE

19 Presented by:
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21 s/ *Michael Filipovic*
22 Federal Public Defender
23 Attorney for John Stewart
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